

Message Text

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ORIGIN EB-08

INFO OCT-01 ARA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 INRE-00
/034 R

DRAFTED BY EB/TRA:JRATWOOD:VLV
APPROVED BY EB/TRA:JRATWOOD
DOT - VFORT (SUBS)
CAB - FMURPHY (SUBS)
ARA - DKEMP

-----121063 071432Z /40
O 071420Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY LIMA IMMEDIATE

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E.O. 11652: N/A

TAGS: EAIR, PE

SUBJECT: CIVAIR - BRANIFF ROUTE REQUEST

REF: LIMA 6948

1. DEPT HAS REVIEWED MATTER WITH BRANIFF, AND UNDERSTANDS THAT BRANIFF WILL SHORTLY (CERTAINLY BEFORE END OF WEEK) BE FILING REQUESTED APPLICATION TO AMEND PERUVIAN PERMIT. APPLICATION WILL MAKE AT LEAST PRO FORMA EFFORT TO PROVIDE REQUESTED JUSTIFICATION. PURPOSE OF FILING IS TO ENSURE THAT PERUVIAN AUTHORITIES CANNOT JUSTIFY DISAPPROVAL ON PURELY PROCEDURAL GROUNDS.
2. EMBASSY SHOULD ENSURE THAT PERUVIANS UNDERSTAND THAT THIS REFILING DOES NOT IN ANY WAY CONSTITUTE ACKNOWLEDGMENT

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BY US THAT A PRIORI SUBSTANTIAIVE REVIEW OF FILING BY PERUVIANS IS JUSTIFIED UNDER 1946/1966 AGREEMENT. IT SHOULD ALSO BE MADE CLEAR THAT WE EXPECT APPROVAL OF PERMIT APPLICATION IN TIME FOR AUGUST 15 OPERATION, OR FAILING THAT THAT THE PERUVIANS WILL ALLOW THE OPERATION ON A PROVISIONAL BASIS PENDING APPROVAL.

3. IN MAKING POINTS IN PARA 2, EMBASSY COULD NOTE THAT US ALLOWED AEROPERU OPERATIONS IN US TO CONTINUE FOR SOME WEEKS

IN EARLY 1978 AFTER ITS PERMIT HAD EXPIRED AND NO APPLICATION FOR EXTENSION HAD BEEN FILED IN A TIMELY FASHION. FURTHER, US IS PREPARED TO SHOW CONTINUED FLEXIBILITY AND LIBERALITY ON ALL AEROPERU MATTERS, ASSUMING RECIPROCITY FROM PERUVIANS. CONVERSELY, RESTRICTIVE ACTIONS BY PERUVIANS WILL NOT GO UNANSWERED.

4. AMBASSADOR SHOULD OF COURSE USE HIS DISCRETION ON HOW MUCH TECHNICAL DETAIL TO RAISE WITH FOREIGN MINISTER. CRITICAL POINT IS THAT PERUVIANS MUST SHOW SOME FLEXIBILITY AND LIBERALITY IN PRACTICE IF AN EARLY CONFRONTATION IS TO BE AVOIDED. IN THIS REGARD DEPT IS PREPARED TO RECOMMEND STRONG COUNTERMEASURES TO CAB IF PERUVIAN AUTHORITIES ATTEMPT TO STONEWALL BRANIFF. IT SHOULD ALSO BE POINTED OUT THAT THE PROPOSED BRANIFF OPERATION FROM TEXAS IS A GOOD ILLUSTRATION OF WHY THE PERUVIAN INSISTENCE ON A PRIORI JUSTIFICATIONS IS UNREASONABLE AND COUNTER-PRODUCTIVE. HERE BRANIFF IS PREPARED TO TAKE THE BUSINESS RISK OF OPENING A NEW US GATEWAY FOR TRAVEL TO PERU -- A GATEWAY THAT CAN POTENTIALLY SERVE ALL THE CENTRAL US -- WITH RESULTS THAT CAN SUBSTANTIALLY BENEFIT THE PERUVIAN ECONOMY. YET THE PERUVIAN AVIATION OFFICIALS ARE INSISTING ON PROOF THAT A NEW, UNTESTED MARKET WILL SUSTAIN THE LIMITED OFFICIAL USE

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PROPOSED SERVICE. THIS IS THE SORT OF CAUTION THAT HAS CONTRIBUTED TO THE STIFLING OF AIR SERVICE BETWEEN THE US AND PERU OVER THE LAST FOUR YEARS.

5. FYI. AT PRESENT BRANIFF APPEARS WILLING (ALBEIT RELUCTANTLY) TO ACCEPT A DELAY OF SOME WEEKS IN STARTING LIMA-TEXAS OPERATION. THAT IS, THE AIRLINE APPEARS RELUCTANT TO PUSH FOR CONFRONTATION IMMEDIATELY, AND THEREFORE MAY URGE THAT THE US HOLD BACK FOR A FEW WEEKS WHILE THE PERUVIAN AUTHORITIES REVIEW THE NEW FILING. PRESUMABLY BRANIFF'S RECOMMENDATION ON THIS POINT WILL BE ACCEPTED BY THE US AUTHORITIES. WE SHOULD, HOWEVER, PUSH FOR IMMEDIATE FAVORABLE ACTION ON BRANIFF APPLICATION. END FYI. CHRISTOPHER

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NNN

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Concepts: AIR ROUTE APPLICATIONS
Control Number: n/a
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Draft Date: 07 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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